

FACSIMILE TRANSMITTAL
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JUL 27 2004

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Date: July 27, 2004

To: Examiner Pensee Do

Facsimile No.: 702-572-9306

From: Susan Tall

Re: US Application Serial No. 10/663,217 (atty docket LIFE-070DIV)

Examiner:

Pursuant to your telephone request this morning, I am re-sending a copy of the previously-filed amendment with the accompanying previously-filed transmittal forms, which amendment is responsive to the Office Action dated March 26, 2004.

This amendment was facsimile filed with the USPTO on June 14, 2004, as evidenced by the attached AUTO-REPLY FACSIMILE TRANSMISSION which shows USPTO receipt of the amendment on June 14, 2004.

Since the amendment is responsive to the Office Action dated March 26, 2004 for which a three month period for reply was given making the due date on or before June 26, 2004, and since the amendment was timely filed on June 14, 2004, this amendment is timely filed and Applicants believe that no fees for extensions of time are required.

If it is determined that fees are required, the Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number LIFE-070-DIV.

Susan Tall

Total number of pages, including this cover sheet: 10

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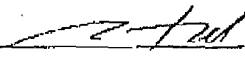


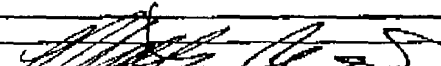
PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/683,217	
		Filing Date	September 15, 2003	
		First Named Inventor	OUYANG, TIANMEI	
		Group Art Unit	1641	
		Examiner Name	Pensee T. Do	
Total Number of Pages In This Submission		8	Attorney Docket Number	LIFE-070DIV
ENCLOSURES (check all that apply)				
<input checked="" type="checkbox"/> Fee Transmittal Form In Duplicate <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)		
		<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):		
Remarks				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				
Firm or Individual Name	SUSAN C. TALL, Reg. No. 52,272			
Signature				
Date	June 14, 2004			

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence is being facsimile filed under 37 C.F.R. §§ 1.6(d) and 1.8(a)(1)(b) addressed to: (703) 872-9306 on this date: June 14, 2004.			
Typed or printed name	Martha Cisneros		
Signature			Date June 14, 2004

Burden Hour Statement: This form is estimated to take 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: P.O. Box 1450 Alexandria VA 22313-1450. LFS-080US-DIV

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 110.00**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number: 50-0815
Deposit Account Name: Bozicevic, Field & Francis LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge Any Additional Fee(s) Required under 37 C.F.R. 1.17.☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 90	Provisional filing fee	

SUBTOTAL (1)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Indep. Claims	-20** =	x	=
Multiple Dependent	-3** =	x	=

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 06	2201 43	Independent claims in excess of 3	
1203 200	2203 145	Multiple dependent claim, if not paid	
1204 08	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) \$

**or number previously paid, if greater; For Reissues, see above.

Complete (If Known)

Application Number: 10/653,217

Filing Date: September 15, 2003

First Named Inventor: OUYANG, TIANMEI

Examiner Name: DO, PENSEE T.

Art Unit: 1841

Attorney Docket No.: LIFE-070DIV

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051 130	2051 65			Surcharge - late filing fee or oath	
1052 50	2052 25			Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130			Non-English specification	
1812 2,520	1812 2,520			For filing a request for ex parte reexamination	
1804 920*	1804 920*			Requesting publication of SIR prior to Examination action	
1805 1,840*	1805 1,840*			Requesting publication of SIR after Examiner action	
1251 110	2251 55			Extension for reply within first month	
1252 420	2252 210			Extension for reply within second month	
1253 950	2253 475			Extension for reply within third month	
1254 1,480	2254 740			Extension for reply within fourth month	
1255 2,010	2255 1,005			Extension for reply within fifth month	
1401 330	2401 165			Notice of Appeal	
1402 330	2402 165			Filing a brief in support of an appeal	
1403 280	2403 145			Request for oral hearing	
1451 1,510	1451 1,510			Petition to institute a public use proceeding	
1452 110	2452 55			Petition to revive - unavoidable	
1453 1,330	2453 665			Petition to revive - unintentional	
1501 1,330	2501 665			Utility issue fee (or reissue)	
1502 480	2502 240			Design issue fee	
1503 640	2503 320			Plant issue fee	
1406 130	1460 130			Petitions to the Commissioner	
1807 50	1807 50			Processing fee under 37 CFR 1.17(a)	
1808 180	1808 180			Submission of information Disclosure Stmt	
8021 40	8021 40			Recording each patent assignment per property (times number of properties)	
1809 770	2809 385			Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 770	2810 385			For each additional invention to be examined (37 CFR § 1.129(b))	
1801 770	2001 385			Request for Continued Examination (RCE)	
1802 900	1802 900			Request for expedited examination of a design application	

110.00

Other fee (specify) Terminal Disclaimer

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

110.00

SUBMITTED BY

Name (Print/Type)

Susan C. Tall

Registration No.
(Attorney/Agent)

52,272

Telephone

(850) 833-7717

Signature

Date


06/14/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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I hereby certify that this correspondence is being facsimile filed under 37 C.F.R. §§ 1.6(d) and 1.8(a)(1)(b) addressed to: P.O. Box 1450 Alexandria VA 22313-1450 on this date: June 14, 2004			
Typed or Printed Name		Martha Cisneros	
Signature		Date	
		6/14/04	
AMENDMENT Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		Attorney Docket No.	LIFE-070DIV
		Confirmation No.	2349
		First Named Inventor	Tianmei Ouyang
		Application Number	10/633,217
		Filing Date	Septemeber 15, 2003
		Group Art Unit	1641
		Examiner Name	Do, Pensee T.
Title:		"Diagnostics Based on Tetrazolium Compunds	

Sir:

This amendment is responsive to the Office Action dated March 26, 2004 for which a three-month period for response was given making this response due on or before June 26, 2004. In view of the amendments to the claims and the remarks put forth below, reconsideration and allowance are respectfully requested.

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